

BEFORE THE HON'BLE STATE ADMINISTRATIVE TRIBUNAL BENCH RAIPUR

O.A. NO. -----/2001

OA/1332/01

LOP/8/4369/01

Applicant

: Smt. Khumeshwari sharma
w/o Shri Shesh Kumar Sharma, Asst. teacher
Govt. Primary School, Somani
Tass., Distt. Rajnandgaon (C.G.)

verses.

Non-applicant

1. The State Govt. Of Chhattisgarh
Through the secretary,
School Education Department,
Mantralaya Dau Kalyansingh Bhawan,
(Old D.K. Bhawan) Raipur (C. G.)
2. The District Education Officer,
Rajnandgaon (C. G.).

APPLICATION U/S 19 OF THE ADMINISTRATIVE TRIBUNAL ACT 1985

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (s) No. 1354 of 2005

Petitioners : Bachelor of Education and another
Versus

Respondents : State Govt. of Madhya Pradesh
(Now Chhattisgarh) & others

W. P. (s) No. 3360 of 2005

Petitioner : Balram Singh Verma
Versus

Respondents : State Govt. of Madhya Pradesh
(Now Chhattisgarh) & others

W. P. (s) No. 3480 of 2005

Petitioners : Shailendra Bais & others
Versus

Respondents : State of Chhattisgarh & others

W. P. (s) No. 3544 of 2005

Petitioners : Ram Kumar Vaishnav and others
Versus

Respondents : State Govt. of Chhattisgarh & others

W. P. (s) No. 3545 of 2005

Petitioner : Smt. Sangeeta Sahu
Versus

Respondents : State Govt. of Chhattisgarh & others

W. P. (s) No. 3557 of 2005

Petitioners : Gopinath Kulmitra and another
Versus

Respondents : State Govt. of Chhattisgarh & others

W. P. (s) No. 3825 of 2005

Petitioners : Bhikam Lal Yadav & others
Versus

Respondents : The State Govt. of Chhattisgarh &
others

W. P. (s) No. 3872 of 2005

Petitioners : Ramesh Bhojwani & others
Versus

Respondents : State Govt. of Chhattisgarh & others

W. P. (s) No. 4104 of 2005

Petitioner : Om Prakash Dewangan
Versus

Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4105 of 2005
 Petitioner : Chandra Prakash Shrivastava
 Versus
 Respondents : State Govt. of Chhattisgarh & another

W. P. (s) No. 4107 of 2005
 Petitioner : Lok Nath Bhardia
 Versus
 Respondents : State Govt. of Chhattisgarh & another

W. P. (s) No. 4108 of 2005
 Petitioner : Smt. Ratna Mishra
 Versus
 Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4127 of 2005
 Petitioner : Smt. Kamla Rajput
 Versus
 Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4128 of 2005
 Petitioner : Kewal Singh Jaiswal
 Versus
 Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4129 of 2005
 Petitioner : Rudranarayan Sinha
 Versus
 Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4131 of 2005
 Petitioner : Keturam Yadav
 Versus
 Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4132 of 2005
 Petitioner : Dular Singh Sahu
 Versus
 Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4133 of 2005
 Petitioner : Mahesh Kumar Dewangan
 Versus
 Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4147 of 2005
Petitioner : Raghava Prasad Deshmukh
Versus
Respondents : State Govt. of Chhattisgarh & another

W. P. (s) No. 4154 of 2005
Petitioner : Shri Basant Ganpat Badhe
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4155 of 2005
Petitioner : Smt. Chitralekha Diwan
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4164 of 2005
Petitioner : Indra Kumar Manik
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4177 of 2005
Petitioner : Govind Prasad Chandrakar
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4179 of 2005
Petitioner : Ram Ashraya Singh Yadav
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4180 of 2005
Petitioner : Smt. Basanti Banjare
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4201 of 2005
Petitioner : Badrinarayan Tiwari
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4202 of 2005
Petitioner : Ku. Kanak Kumari Ramtake
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4203 of 2005
Petitioner : Deo Kumar Sahu
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4204 of 2005
Petitioner : Ramesh Kumar Indoria
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4205 of 2005
Petitioner : Suresh Kumar Indoria
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4206 of 2005
Petitioner : Ali Iman Khan
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4207 of 2005
Petitioner : Manoj Kumar Thakur
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4208 of 2005
Petitioner : Rajesh Kumar Sao
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4210 of 2005
Petitioner : Ishwar Prasad Dubey
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4211 of 2005
Petitioner : Smt. Saroj Meshram
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4212 of 2005
Petitioner : Smt. Geeta Gaharwar
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4302 of 2005
Petitioner : Sharad Kumar Das
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4303 of 2005
Petitioner : Chhatra Pal Lilhare
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4307 of 2005
Petitioner : Narendra Kumar Sao
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4309 of 2005
Petitioner : Smt. Mangalbatu Sahu
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4310 of 2005
Petitioner : Pannalal Verma
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4311 of 2005
Petitioner : Chait Ram Sahu
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4312 of 2005
Petitioner : Smt. Chhanni Verma
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4313 of 2005
Petitioner : Baboolal Sahu
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4334 of 2005
Petitioner : Deo Sharan Lal Dewangan
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4345 of 2005
Petitioner : Tameshwar Lal Sahu
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4346 of 2005
Petitioner : Alakh Ram Sahu
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4347 of 2005
Petitioner : Ajay Kumar Chandrakar
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4354 of 2005
Petitioner : Awadh Ram Verma
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4355 of 2005
Petitioner : Ghan Shyam Singh Sahu
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4356 of 2005
Petitioner : Smt. Shadna Bawanker
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4363 of 2005
Petitioner : Smt. Pratibha Sahu
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4364 of 2005
Petitioner : Smt. Khumeshwari Sharma
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4365 of 2005
Petitioner : Ram Lal Verma
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4366 of 2005
Petitioner : Sheo Ram Soni
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4368 of 2005
Petitioner : Lokesh Kumar Shrivastava
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4382 of 2005
Petitioner : Dhru Singh Mandvee
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4389 of 2005
Petitioner : Ganesh Ram Sahu
Versus
Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4658 of 2005
Petitioner : Kamta Prasad Baghel
Versus
Respondents : The State Govt. of Chhattisgarh & another



W. P. (s) No. 4663 of 2005
Petitioner : Khorbhara Ram Nishad
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4665 of 2005
Petitioner : Bishe Lal Yadav
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4667 of 2005
Petitioner : Dumar Das Sahu
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4668 of 2005
Petitioner : Doha Ram Sahu
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4695 of 2005
Petitioner : Chain Singh Thakur
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4721 of 2005
Petitioner : Smt. Shakti Khatri
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4770 of 2005
Petitioner : Kajar Ram Sori
Versus
Respondents : The State Govt. of Chhattisgarh &
another

W. P. (s) No. 4771 of 2005
Petitioner : Ramesh Kumar Sharma
Versus
Respondents : The State Govt. of Chhattisgarh &
another

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W. P. (s) No. 4772 of 2005

Petitioner : Arjun Ram Patil

Versus

Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4794 of 2005

Petitioner : Sushil Kumar Jaishwal

Versus

Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 4869 of 2005

Petitioner : Bharatlal Agrawal

Versus

Respondents : State Govt. of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri.

Shri Ajay Shrivastava, Advocate for the Petitioners.
 Shri V.V.S. Moorthy, Dy. Advocate General with Smt. Anju Ahuja,
 Dy. Govt. Advocate for the respondents/State.
 Shri L.S. Mandavi, Additional Director, School Education
 Department, Government of Chhattisgarh, Raipur is also present in
 the Court.

ORDER

(6th October, 2006)

1. Learned counsel appearing for the petitioners submits that while working as Assistant Teachers/Upper Division Teachers, the petitioners have gone on training to improve their qualifications on their own expenses and acquired B. Ed./B.T.I Examination Certificate.
2. The present writ petitions, being W.P.(s) Nos. 1354/2005, 3360/2005, 3480/2005, 3544/2005, 3545/2005, 3557/2005, 3825/2005, 3872/2005, 3872/2005, 4104/2005, 4105/2005, 4107/2005, 4108/2005, 4127/2005, 4128/2005, 4129/2005,

4131/2005, 4132/2005, 4133/2005, 4147/2005, 4154/2005, 4155/2005, 4164/2005, 4177/2005, 4179/2005, 4180/2005, 4201/2005, 4202/2005, 4203/2005, 4204/2005, 4205/2005, 4206/2005, 4207/2005, 4208/2005, 4210/2005, 4211/2005, 4212/2005, 4302/2005, 4303/2005, 4307/2005, 4309/2005, 4310/2005, 4311/2005, 4312/2005, 4313/2005, 4334/2005, 4345/2005, 4346/2005, 4347/2005, 4354/2005, 4355/2005, 4356/2005, 4363/2005, 4364/2005, 4365/2005, 4366/2005, 4368/2005, 4382/2005, 4389/2005, 4658/2005, 4663/2005, 4665/2005, 4667/2005, 4668/2005, 4695/2005, 4721/2005, 4770/2005, 4771/2005, 4772/2005, 4794/2005 and 4869/2005 involve similar facts and common question of law. Thus, these petitions are being disposed of by this common order.

3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed./B.T.I. Examination Certificate on his own expenses, are



covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh

4. Learned counsel for the petitioners further submits that the facts and question of law involved in the present cases are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.
5. Accordingly, the writ petitions are allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B. Ed./B.T.I. Examination Certificate on their own expenses or not. No order as to costs.
6. A copy of this order be placed on record of other connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge